

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IVANA SALTELLI,
Plaintiff,

v.

SAN FRANCISCO MARITIME
NATIONAL HISTORICAL PARK, et al.,
Defendants.

Case No. [20-cv-06136-DMR](#)

**ORDER GRANTING MOTION TO SET
ASIDE DEFAULT**

Re: Dkt. No. 27

The court has received the government's motion to set aside the defaults entered against Defendants San Francisco Maritime National Historical Park and San Francisco Maritime Museum, Plaintiff Ivana Saltelli's opposition thereto, and the government's reply. [Docket Nos. 27, 32, 33.] This matter is suitable for resolution without a hearing. Civ. L.R. 7-1(b).

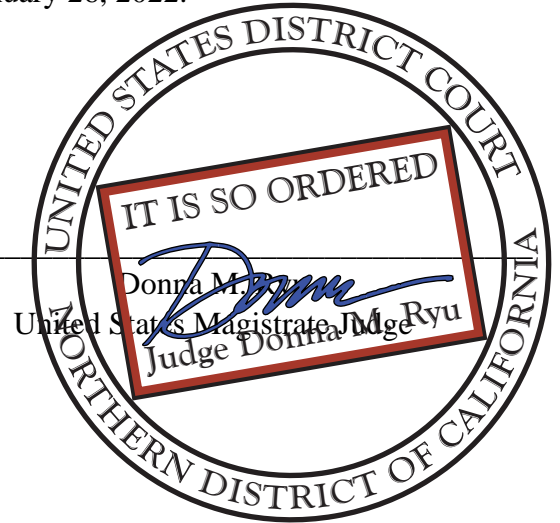
In order to properly serve the United States, a plaintiff must (1) deliver a copy of the summons and complaint "to the United States attorney for the district where the action is brought . . . [or] send a copy of each by registered or certified mail to the civil-process clerk at the United States attorney's office" *and* (2) "send a copy of each by registered or certified mail to the Attorney General of the United States at Washington, D.C." Fed. R. Civ. P. 4(i)(1)(A)(i-ii), (B). Here, Plaintiff failed to serve the complaint on the Attorney General and thus did not properly effect service. [See Docket Nos. 23, 24 (Proofs of Service).] Accordingly, the motion to set aside the defaults is GRANTED.

In its reply, the government states that Plaintiff served a copy of the summons and complaint on the United States Attorney General by certified mail on August 27, 2021, and that the documents were received on September 2, 2021. [Docket Nos. 33-3 (Anders Decl., Oct. 1, 2021) ¶ 1, Ex. F; 33 (Reply) at 1.] Accordingly, the government admits that it has now been

properly served and states that the deadline to respond to the complaint is November 1, 2021.
Reply 1. The court will hold an initial case management conference on February 2, 2021 at 1:30
p.m. A joint case management statement is due by January 26, 2022.

IT IS SO ORDERED.

Dated: October 21, 2021



United States District Court
Northern District of California